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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mar Tormo

Ana M. Tari

Gabriel Lopez-Berestein

Group Art Unit: 1636

Examiner: R. Schwartzman

Serial No.: 08/726,211

Atty. Dkt. No.: UTXC:504/STA

Filed: October 4, 1996

For: INHIBITION OF BCL-2 PROTEIN
EXPRESSION BY LIPOSOMAL
ANTISENSE
OLIGODEOXYNUCLEOTIDES

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

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CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on the date below:

December 16, 1999

Date

Jonathan D. Hurt

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed July 16, 1999, finally rejecting claims 1-37, 39-41, 44, 46, 48-50, 52-54 and 56, and objecting to claims 38, 43, 45, 47 and 55.

The fee for filing this Notice of Appeal is \$150 and is attached hereto.

Also, a request for a two-month extension of time to respond is included herewith. The extension fee (\$190) is included in the attached check with the Notice of Appeal fee. This two-month extension will bring the due date to December 16, 1999. Should such request or fee be deficient or absent, consider this paragraph such a request and authorization to withdraw the appropriate fee.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed material, or should an overpayment be included herein, the Assistant Commissioner is authorized to deduct or credit said fees from or to Arnold White & Durkee Deposit Account No. 01-2508/UTXC:504/STA.

Please date stamp and return the enclosed postcard to evidence receipt of this document.

Respectfully submitted,



Jonathan D. Hurt
Reg. No. 44,790
Agent for Applicants

ARNOLD, WHITE & DURKEE
P.O. Box 4433
Houston, Texas 77210-4433

Date: December 16, 1999